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I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.


(Signature of person mailing paper or fee)

Stephen C. Macevicz

(Typed or printed name of person mailing paper or fee)

Case No. 4241

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UNITED STATES RECEIVING OFFICE

Inventors: Woudenberg et al

Serial No:

Group Art Unit:

Filed: 29 April 1994

Examiner:

Title: **SYSTEM FOR REAL TIME DETECTION OF NUCLEIC ACID
AMPLIFICATION PRODUCTS**

DECLARATION CONCERNING SEQUENCE LISTING
UNDER 37 C.F.R. 1.821(f)

Commissioner of Patents and Trademarks
Washington, D. C. 20231

Sir:

I, Stephen C. Macevicz, declare the following:

I am a Patent Attorney representing Perkin-Elmer Corporation, Applied Biosystems Division, 850 Lincoln Centre Drive, Foster City, California, a Connecticut corporation, and owner of the above identified application. I represent Perkin-Elmer Corporation before the U.S. Patent and Trademark Office in all matters relating to patents.

Attached hereto is a 3.5 inch diskette containing an ASCII text file of the "Sequence Listing" section of the above-identified patent application. An identical copy of said "Sequence Listing" shall be reproduced whenever said text file is printed out using the print command of the operating system indicated on the label of the diskette.

I further declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



Stephen C. Macevicz
Reg. No. 30,285
Attorney for Applicants

Telephone: (415) 358-7855

Attachment:

Plastic envelope containing 3.5 inch diskette

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Case No. 4241

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**SYSTEM FOR REAL TIME DETECTION OF NUCLEIC
ACID AMPLIFICATION PRODUCTS**

the specification of which (check one) ☒ is attached hereto ☐ was filed on _____
as U.S. application Serial No. _____ and amended on _____.

I hereby state and I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, section 1.56(a).

I hereby claim foreign priority benefit under Title 35, United States Code, section 119 of the foreign application(s) for patent listed below:

<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Title</u>
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NONE

I hereby claim the benefit under Title 35, United States Code, section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
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NONE

Case No. 4241

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Joseph H. Smith

Reg. No. 30,328

Stephen C. Macevitz

Reg. No. 30,285

Paul D. Grossman

Reg. No. 36,537

SEND CORRESPONDENCE TO: <input type="checkbox"/> Joseph H. Smith <input checked="" type="checkbox"/> <u>Stephen C. Macevitz</u> <input type="checkbox"/> Paul D. Grossman <u>Applied Biosystems, Inc.</u> <u>850 Lincoln Centre Drive</u> <u>Foster City, CA 94404</u>	DIRECT TELEPHONE CALLS TO: <input type="checkbox"/> Joseph H. Smith, at (415) 358-8114 <input checked="" type="checkbox"/> Stephen C. Macevitz at (415) 358-7855 <input type="checkbox"/> Paul D. Grossman at (415) 358-8155 Office Telefax: (415) 358-7794
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

15 Oct 94

Name of sole or first inventor: Timothy M. Woudenberg

Inventor's signature _____ Date _____

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Name of second inventor: **Kevin S. Bodner**

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Inventor's signature _____ Date _____

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Name of **fourth** inventor: **Alan M. Ganz**

Inventor's signature _____ Date _____

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Name of **fifth** inventor: **Lincoln J. McBride**

Inventor's signature _____ Date _____

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Name of **sixth** inventor: **Paul G. Saviano**

Inventor's signature _____ Date _____

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Name of **seventh** inventor: **John Shigeura**

Inventor's signature _____ Date _____

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Name of **eighth** inventor: **David H. Tracy**

Inventor's signature _____ Date _____

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Name of **ninth** inventor: **Eugene F. Young**

Inventor's signature _____ Date _____

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Name of **tenth** inventor: **Linda G. Lee**

Inventor's signature _____ Date _____

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